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interests, covenants by the landlord as to the condition of the premises, waste, various aspects of the law of rent, including remedies, apportionment, suspension and extinguishment, and the termination of the relation of landlord and tenant. While the cases to a considerable degree are those used by Mr. Gray, there is this unified collocation of them and a large infusion of recent American decisions. Such a citation and use of modern cases are particularly desirable in a subject that in certain aspects is in such a process of transition from a property to a contract basis as is the one under consideration.

The construction of a case book is so largely a matter of individual preferences that it is inevitable that judgments should vary somewhat. Since, as Mr. Warren indicates in his preface, the subject matter embraced is too large to be covered in a 32 hour course and a certain exclusion must necessarily obtain in the material to be used in class room work, it might be wished that he had judged it desirable to give a choice of cases covering the modern law of Estates Tail and of Dower and Curtesy. But these are after all differences of detail. The proof of the pudding is in the eating. The work looks like an eminently usable one for teaching purposes and Mr. Warren's long experience as a teacher tends strongly to support the presumption that it is such.

HARRY A. BIGELOW

INSTRUCTIONS TO JURIES. By Henry E. Randall. Kansas City, Mo.: Vernon Law Book Co. 5 volumes. pp. xi, 1010; iv, 2150; iv, 3474; iv, 4845; iv, 5361.

Though written primarily for the practising lawyer and for the trial judge, Randall's Instructions to Juries will be welcomed by every student of the law. The author has assumed the rôle of the historian, who it is said should chronicle and not philosophize; yet by giving to us an accurate and authoritative statement of the law which has been actually announced and of the instructions which have actually been approved, he has furnished the data from which the more or less cloistered legal scholar may generalize, and he has paved the way for reform if reform be necessary. The first volume contains a clear and concise statement of the rules which the courts have actually announced "Governing the Giving and the Refusal of Instructions," and in the four succeeding volumes are some twelve thousand approved forms of instructions which cover every branch of the law and which are supported by some forty thousand citations.

To a certain extent the work is a digest, but it is much more than a digest. It is a chronicle of the common law of America in relation to the conduct of jury trials in so far as that common law has been announced in the form of instructions to juries. It is not a collection of syllabi which have been prepared by court reporters, nor of rules of which the author alone approves. Nor is it a collection of syllabi which, even when prepared by the judges themselves, are usually written perfunctorily and in haste; but it is a collection of rules which have been actually announced and written instructions which have been made applicable to clearly stated facts and which have been subjected to the ordeal of rigid criticism. The value of such a work, if accurate, must be very great, and fortunately, the volumes which are before us bear every evidence of accuracy and undoubtedly are the result of years of laborious toil and of a page by page examination of thousands of reports.

To the busy practising lawyer and to the often equally busy trial judge, the work will prove of inestimable value, while to the young and inexperienced practitioner it will prove "an ever present help in the hour of trouble." It will save many a new trial and many a reversal. Few realize how important a part the instructions play in the trial of our jury cases and how many new trials are granted and how many cases are reversed because of errors in those instructions. In many overburdened appellate courts the instructions constitute the portion of the record on appeal which is first examined, and though other portions are often overlooked, it is seldom that the instructions are ignored. What use, indeed, of wading through hundreds of pages of testimony and of exhibits if the jury was improperly directed? What trial judge, too, would not grant a new trial if convinced of a radical error in his instructions rather than run the risk of the humiliation of a reversal upon an appeal? Often, too, in our crowded cities, where the courts are behind their calendars and, in order to expedite the trials, the time in which to address the jury is limited to such an extent as to make argument of little value, a well written and carefully prepared set of instructions is the lawyer's only weapon and only shield of defense. Yet the time in which to prepare these instructions is always very limited. The developments of a trial can seldom be anticipated so that the work can be done in advance; the jury cannot be kept waiting, and the instructions, therefore, must be hurriedly prepared in short recesses during the last stages of the trial in which the lawyer has always many distractions, or in the altogether too short interval which elapses between the closing of the testimony and the charge to the jury. Both the distracted lawyer and the often equally distracted judge need authoritative help, and that help Mr. Randall and his corps of assistants have now furnished. Now as never before he who runs may read. There have been other works upon the subject, but none which have been as comprehensive, as accurate and as carefully prepared.

ANDREW A. BRUCE

BOOKS TO BE REVIEWED

- THE LAW AND CUSTOM OF THE CONSTITUTION. Vol. I, Parliament. By Sir William Anson. Fifth edition by Maurice L. Gwyer. New York: Oxford University Press.
- THE LAWS OF THE EARLIEST ENGLISH KINGS. Edited and translated by F. L. Attenborough. New York: Macmillan Company.
- THE DECLARATION OF INDEPENDENCE. By Carl Becker. pp. 286. New York: Harcourt, Brace, and Company.
- THE TARIFF COMMISSION. By Joshua Bernhardt. Service Monographs of the United States Government, no. 15. pp. xii, 71. New York: D. Appleton and Company.
- THE LAW AND PRACTICE OF BANKRUPTCY. By Henry C. Black. pp. xxiii, 1840. Kansas City, Mo.: Vernon Law Book Company.
- DE LEGIBUS ET CONSUETUDINIBUS ANGLIAE. By Bracton. Edited by George E. Woodbine. Vol. 2. New Haven: Yale University Press.
- THE BRITISH YEAR BOOK OF INTERNATIONAL LAW, 1922-1923. pp. vi, 260. London: Messrs. Henry Frowde & Hodder & Stoughton.
- INTERNATIONAL RELATIONS. By James Bryce. pp. xii, 275. New York: Macmillan Company.